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Freedom House

Freedom in the World 2018 - Yemen

Year:

2018

Freedom Status:

Not Free

Political Rights:

7

Civil Liberties:

6

Aggregate Score:

13

Freedom Rating:

6.5

Overview:

Yemen has been devastated by a civil war that began in 2015, when foreign powers led by Saudi Arabia intervened to support the government of President Abd Rabbu Mansur Hadi against the Houthi rebel movement—rooted in the Zaidi Shiite community, which forms a large minority in Yemen—and allied forces linked to former president Ali Abdullah Saleh. The civilian population has suffered from direct violence by both sides, as well as from hunger and disease caused by the interruption of trade and aid. Elections are long overdue, normal political activity has halted, and key state institutions have ceased to function.

Key Developments in 2017:

- The Houthi-Saleh alliance collapsed in December when the two factions began to clash in Sanaa, Saleh made peace overtures to the Saudi-led coalition, and Houthi forces finally killed the former president in an attack on his convoy. However, the overall conflict continued unabated.

- Although rebel forces—which allegedly drew material support from Iran—controlled the capital and much of the country’s north and west, the Hadi government and its allies attempted to press in on this territory from all directions, particularly from their base in the southern port of Aden. Saudi Arabia and the United Arab Emirates (UAE) maintained informal spheres of influence, while the militant groups Islamic State (IS) and Al-Qaeda in the Arabian Peninsula (AQAP) held pockets of territory in the southeast.
- The United States, in addition to aiding the pro-Hadi coalition, increased the frequency of direct attacks on suspected AQAP and IS targets in Yemen after President Donald Trump took office in January.
- More than half of the Yemeni population was considered food-insecure by the end of the year, and the country also faced the largest recorded outbreak of cholera in modern history, with both problems exacerbated by the Saudi-led blockade of Yemeni ports and airports. The Saudi-led air campaign—supported by the United States and some European governments—continued to strike civilian infrastructure and population centers, repeatedly hitting medical facilities.
- Journalists and activists continued to be detained arbitrarily, including one of Yemen’s most vocal political activists, Hisham al-Omeisy, who was arrested by the Houthi-controlled National Security Bureau in August.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 1 / 40 (−1)

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

In November 2011, under sustained pressure from the United States, the United Nations, and the Gulf Cooperation Council, longtime president Saleh signed a Saudi-brokered agreement that transferred his powers to then vice president Hadi in exchange for immunity from prosecution for his role in a violent crackdown on antigovernment protests. In February 2012, Yemeni voters confirmed Hadi, who ran unopposed, as interim president with a two-year term. In January 2014, the multiparty National Dialogue Conference (NDC), a months-long initiative in which more than 500 delegates aimed to reach agreement on Yemen’s political future, concluded with a plan to transform the country into a federated state of six regions. The NDC also extended Hadi’s term for one year so that the proposed reforms could be finalized in a new constitution.

However, the constitutional drafting process and election schedule were thrown into disarray by the Houthis, an armed rebel movement rooted in the Zaidi Shiite population of northwestern Yemen. Houthi forces took over large swaths of the country, eventually occupying Sanaa in September 2014. The Houthis subsequently refused to evacuate the

capital as part of a tentative power-sharing agreement, leading Hadi and his cabinet to flee into exile in early 2015. Meanwhile, the Houthis assumed control of state institutions. Hadi retained international recognition as president but had no clear mandate and little control over the country.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The original six-year mandate of the last parliament expired in 2009, and elections were put off again in 2011 amid the popular uprising against Saleh. In January 2014, the NDC declared that parliamentary elections would occur within nine months of a referendum on the new constitution being drawn up. The constitutional drafting committee completed its work in January 2015, but due to the outbreak of the civil war and the Saudi-led intervention in March of that year, no vote has yet taken place. The incumbent parliament was disbanded after the Houthis seized control of the capital.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Under the existing constitution, the president is elected for seven-year terms and appoints the 111 members of the largely advisory upper house of parliament, the Majlis al-Shura (Consultative Council). The 301 members of the lower house, the House of Representatives, are elected to serve six-year terms. Provincial councils and governors are also elected. However, elections are now many years overdue, and no side in the civil war has been able to assert enough territorial control to implement any electoral framework.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The Houthis and their allies have harshly suppressed political dissent in areas under their control since 2015. Continuing a pattern from recent years, dozens of journalists, lawyers, and activists who were critical of the rebel movement were detained during 2017, including high-profile political activist Hisham al-Omeisy, who was seized by Houthi security agents in August and remained in detention at year's end. Forces associated with the Hadi government and its UAE allies were also accused of arbitrarily detaining perceived political opponents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Parliamentary elections have not been held in Yemen since 2003 and have been on hold since 2009. The most recent presidential election, in 2012, featured only one candidate. No date has been set for future elections, and peaceful political opposition has been suppressed in the context of the civil war.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4

Ordinary political activity is impeded by the presence of multiple armed groups throughout Yemen, including Houthi-led rebel forces, Sunni extremist groups, southern separatists, foreign troops from the Saudi-led coalition, Hadi government troops, and local or partisan militias.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

All segments of the population lack political rights under current conditions in Yemen. Thirty percent of the NDC's delegates were women, and its final agreement called for similar representation in all branches of government under a new constitution, but the draft constitution has been on hold since the outbreak of civil war. Only one woman won a seat in the last parliamentary elections. A caste-like minority group with East African origins, known as the Akhdam or Muhamasheen, accounts for as much as 10 percent of the population but has long been marginalized in politics and in society. The group had one representative at the NDC.

C. FUNCTIONING OF GOVERNMENT: 0 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Yemen has no functioning central government, and any state institutions that continue to operate are controlled by unelected officials and armed groups. The Hadi government is largely dependent on its foreign patrons, particularly Saudi Arabia and the UAE.

C2. Are safeguards against official corruption strong and effective? 0 / 4 (-1)

Government transparency and accountability were minimal even before the outbreak of war in 2015, as a network of corruption and patronage established under Saleh remained entrenched in public institutions, and formal anticorruption mechanisms were largely ineffective. In April 2016, the Hadi government appointed longtime military commander and ruling party figure Ali Mohsen al-Ahmar as Yemen's vice president, signaling the return of a power broker who was suspected by U.S. officials of large-scale

involvement in arms and fuel smuggling prior to 2011. The disruption to legal commerce caused by the civil war has increased the role of the black market and created further opportunities for graft.

Score Change: The score declined from 1 to 0 due to the growing importance of smuggling networks and the breakdown of any formal anticorruption mechanisms in the context of the civil war.

C3. Does the government operate with openness and transparency? 0 / 4

The only truly national institution that had continued to function during the civil war, the central bank, has been split between a government-backed version in Aden and a rebel-backed version in Sanaa since August 2016, causing politicized disruptions to public-sector salaries and further reducing the transparency of state finances.

CIVIL LIBERTIES: 12 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

The state has historically controlled most terrestrial television and radio, though there have been several privately owned radio stations. Since the outbreak of the war, the belligerents have either taken over or enforced self-censorship at any surviving media outlets in the country. Houthi-backed authorities reportedly block certain news websites, online messaging and social media platforms, and satellite broadcasts. Journalists risk their lives to cover the fighting and have been targeted by all warring parties. In April 2017, a state security court in rebel-controlled Sanaa sentenced a veteran journalist, Yahya Abdulraqueeb al-Jubaihi, to death for supposedly spying on behalf of the Saudi-led coalition; he was released in September after being "pardoned" by the rebel government's Supreme Political Council. Separately, two journalists were killed in May while reporting on fighting near the city of Taiz. In June, Amnesty International and eight other organizations issued an open letter urging Houthi forces to release 10 journalists who had been arbitrarily detained without charge or trial since 2015.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the official religion, and the constitution declares Sharia (Islamic law) to be the source of all legislation. Yemen has few non-Muslim religious minorities; their rights have traditionally been respected in practice, though conversion from Islam and proselytizing to Muslims is prohibited. The civil war has inflamed sectarian tensions between the Shiite Houthis and Sunni militant groups. Members of Yemen's Baha'i community have reported increased persecution by Houthi-controlled rebel forces, which they see as a sign of growing Iranian influence.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Strong politicization of campus life, including tensions between supporters of Saleh's General People's Congress (GPC) party and the opposition Islah party, historically infringed on academic freedom at universities. Since 2015, Houthi forces have detained scholars as part of their crackdown on dissent. The civil war has also led to damage to school facilities across the country, suspension of classes and other activities at schools and universities, and deaths of children caught in either errant or deliberate military attacks on schools. Millions of students no longer attend school due to the war.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Freedom of private discussion is severely limited as a result of intimidation by armed groups and unchecked surveillance by the Houthi authorities.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Yemenis have historically enjoyed some freedom of assembly, with periodic restrictions and sometimes deadly interventions by the government. There were frequent demonstrations against both the Houthi authorities and the pro-Hadi coalition's air strikes in 2017. Thousands of people rallied in support of former president Saleh in Sanaa in August amid reports of a rift in the Houthi-Saleh alliance. Although the gathering was allowed to proceed, Houthi forces have at times reportedly used violence and live ammunition to suppress critical protests in areas under their control.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Freedom of association is constitutionally guaranteed, and a large number of nongovernmental organizations (NGOs) work in the country, but their ability to function is restricted by interference from armed groups in practice. Houthi forces have closed or raided NGO offices and detained activists, and both sides in the civil war have blocked or seized humanitarian aid.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The law acknowledges the right of workers to form and join trade unions, but in practice these organizations have had little freedom to operate. Virtually all unions belong to a single labor federation, and the government is empowered to veto collective bargaining agreements. Normal union activity has been disrupted by the civil war and the related breakdown of the economy.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary, though nominally independent, is susceptible to interference from various political factions. Authorities have a poor record of enforcing judicial rulings, particularly those issued against prominent tribal or political leaders. Lacking an effective court system, citizens often resort to tribal forms of justice and customary law, practices that have increased as the influence of the state has continued to deteriorate.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Arbitrary detention is common, with hundreds of cases documented in recent years. Many amount to enforced disappearances, with no available information about the victims' status or location. Detainees are often held at unofficial detention sites. As with other state institutions, security and intelligence agencies like the Political Security Organization (PSO) have been split into parallel Houthi- and Hadi-controlled structures, which each operating in territory controlled by its side in the civil war. In areas that lie within the UAE's sphere of influence in southern Yemen, Emirati special forces have been accused of operating a network of secret prisons and detention centers where torture is said to be rife.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The civil war has resulted in widespread violence across the country. Coalition air strikes have failed to distinguish between military and civilian targets, and artillery fire from Houthi forces has been similarly indiscriminate. A number of other armed factions, including foreign military units and extremist groups like AQAP, operate in the country with impunity for any abuses. The United States carried out dozens of drone strikes and at least some ground operations against suspected AQAP and ISIS targets in 2017, killing more than 30 civilians. More than 10,000 people have been killed since the war began in 2015.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Despite the growing sectarian rift between the Sunni Muslim majority and the large Zaidi Shiite minority, Yemen is relatively homogeneous in terms of language and ethnicity. However, the minority group known as the Akhdam or Muhamasheen faces severe social discrimination and poverty. Women also continue to face discrimination in many aspects of life, and their testimony in court is equivalent to half that of a man. Same-sex sexual activity is illegal, with possible penalties including lashes, imprisonment, and death. Due to the severe threats they face, few LGBT (lesbian, gay, bisexual, and transgender) Yemenis reveal their identity.

Migrants and refugees fleeing war and poverty in the Horn of Africa continued to arrive in Yemen during 2017. Some 280,000 refugees and asylum seekers were in the country as of December, according to UN data. Many of those entering were seeking work in the Gulf states but faced harsh conditions, violence, and barriers to further travel once in Yemen.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

More than 2 million people were internally displaced in Yemen as of December 2017, according to the Office of the UN High Commissioner for Refugees. Movement within the country is impaired by combat, damage to infrastructure, and checkpoints at which a variety of armed groups engage in harassment and extortion.

Even in peacetime, a woman must obtain permission from her husband or father to receive a passport and travel abroad.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Property rights and business activity have been badly disrupted by the civil war and unchecked corruption, as well as the retreat of state authorities from large areas of Yemen and the division of the country into Houthi- and Hadi-controlled spheres of influence. Women do not have equal rights in inheritance matters.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Women face disadvantages in divorce and custody proceedings, and require a male guardian's permission to marry. Child marriage is a widespread problem. There are some restrictions on marriage to foreigners; a woman can confer citizenship on a child from a foreign-born spouse if the child is born in Yemen. The penal code allows lenient

sentences for those convicted of "honor crimes"—assaults or killings of women by family members for alleged immoral behavior. Although female genital mutilation is banned in state medical facilities, it is still prevalent in some areas. Extremist groups have attempted to impose crude versions of Sharia in territory under their control, harshly punishing alleged violations related to sexual activity, personal appearance, and other matters.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The war has increased the risk of human trafficking, and after 2015 the government was no longer able to pursue antitrafficking efforts it had previously begun. Migrants, refugees, and the internally displaced are especially vulnerable to exploitation. Border controls and naval blockades imposed by the Saudi-led coalition have contributed to shortages of food, medicine, fuel, and other essential imports, leaving the public more exposed to famine and disease as well as coercion and deprivation by armed groups and black-market traders. An ongoing cholera outbreak surged in April 2017 and was suspected of infecting more than a million people by year's end, with over 2,200 related deaths. In November, the Famine Early Warning Systems Network warned that the coalition's closure of key ports risked tipping large areas of Yemen into immediate famine, as at least 80 percent of Yemeni food supplies are imported, mostly by ship.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology (<https://freedomhouse.org/report/methodology-freedom-world-2018>)

ecoinet summary:

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